

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALTAGRACIA PEGUERO,

Plaintiff,

v.

AMERICAN EXPRESS COMPANY,
INC.,

Defendant,

Civil Action No. 05-10995-RCL

AMERICAN EXPRESS COMPANY,
INC.,

Cross-Claim Plaintiff,

v.

FEDERAL INSURANCE COMPANY and
THE SKLOVER GROUP INC.,

Cross-Claim Defendants.

**ASSENTED-TO MOTION TO ENLARGE TIME TO RESPOND
TO AMERICAN EXPRESS'S MOTION TO MAINTAIN AS
CONFIDENTIAL THE MARKETING AGREEMENT**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Rule 7.1, Cross-claim Defendant Federal Insurance Company ("Federal") respectfully moves this Court for leave to enlarge its time to respond to the motion of American Express Company, Inc. ("American Express") to maintain as confidential the Marketing Agreement between American Express and HealthExtras, LLC ("HealthExtras"), filed on June 22, 2006 in this Court, through and including July 13, 2006. As grounds for this motion, Federal states:

- (1) American Express has assented to this motion.

(2) On June 2, 2006, Federal sent a letter to American Express pursuant to paragraph 14 of the Stipulated Protective Order objecting to the confidential designation of the Marketing Agreement between American Express and HealthExtras.

(3) On June 22, 2006, Federal was served with American Express's motion to maintain as confidential the Marketing Agreement between American Express and HealthExtras.

(4) A brief extension until July 13, 2006 will allow Federal time to fully evaluate and respond to American Express's motion. The short extension of time will not unduly delay these proceedings.

For the foregoing reasons, Federal respectfully moves this Court to allow the motion.

Dated: Boston, Massachusetts
June 29, 2006

RIEMER & BRAUNSTEIN LLP

By: /s/ Mark Corner
Mark W. Corner (BBO#550156)

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CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)

Mark W. Corner, counsel of record for the Defendant Federal Insurance Company, hereby certifies that on June 29, 2006, Danielle M. Aguirre of the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, co-counsel to Federal Insurance Company, conferred by telephone with John F. Farraher, counsel to American Express, in an effort in good faith to resolve or narrow the issue presented in this motion, as required by Local Rule 7.1(A)(1), and that American Express has assented to the relief sought herein.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 29th DAY OF JUNE 2006.

/s/ Mark Corner

CERTIFICATE OF SERVICE

I, Mark W. Corner hereby certify that on this date, June 29, 2006, I caused to be served the foregoing document, along with the accompanying Motion for Leave to File Additional Papers, by electronic notice, upon the following counsel of record:

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/s/ Mark Corner
Mark W. Corner